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*ADMITTED IN NY AND NJ

December 23, 2025

VIA ECF

The Honorable Charyl L. Pollack
United States Eastern District of New York
225 Camden Plaza East
Brooklyn, New York 11201

Re: Gutierrez v. RBM Maintenance LLC et al
Index No.: 1:25-cv-03050-ENV-CLP

Dear Judge Pollack:

We represent Plaintiff in the above-entitled action. We write this joint status report on behalf of Plaintiff, RB Maintenance LLC, RBM Maintenance LLC, RBM Maintenance d/b/a Cartel, Fernando Barrios, individually, and Roxana Barrios, individually (together, the "RBM Defendants"). Following mediation before Andrew Kimler on December 23, 2025, the matter has been settled as between Plaintiff and the RBM Defendants, only. The above mentioned parties will be entering into a settlement agreement which it will submit for *Cheeks* approval. Of note, neither Toyota of Bayridge, LLC d/b/a Toyota of Bay Ridge Brooklyn nor Bay Ridge Motor Sales d/b/a Bay Ridge Toyota appeared in the case, or for the mediation.

Plaintiff has been made aware of additional relevant parties (various additional Toyota entities and owners), and with the Court's consent, requests permission to file an updated Amended Complaint on or before January 9, 2026.

Thank you.

Very truly yours,

FRANKLIN, GRINGER & COHEN, P.C.

Elana Henderson

Elana T. Henderson